



California Fair Political Practices Commission

September 9, 1991

Paul Herman
Treasurer for Carole Migden
Board of Supervisors
City & County of San Francisco
Room 235, City Hall
San Francisco, CA 94102

Re: Your Request for Advice.
Our File No. A-91-384

Dear Mr. Herman:

During our recent telephone conversation, I asked if San Francisco Supervisor Carole Migden could transfer campaign funds from her candidate or officeholder campaign bank accounts to other candidates' accounts.

The enclosed advice letter written to Kirk Pessner on behalf of San Francisco Mayor Art Agnos summarizes the current status of Section 85304 of the Political Reform Act after the court ruling in Service Employees International Union, AFL-CIO, et al. v. Fair Political Practices Commission (1990) 747 F.Supp. 580. This advice letter, dated July 19, 1991, specifically addresses your questions regarding transferring funds.

If you have any further questions, please feel free to contact me at (916) 322-5662.

Sincerely,

Scott Hallabrin
Acting General Counsel

By: Linda Mureaux
Political Reform Consultant

Enclosures

Member
Board of Supervisors
City and County of San Francisco



CAROLE MIGDEN

August 6, 1991

California Fair Political Practices Commission
Legal Division
428 J Street, Suite 800
P.O. Box 807
Sacramento, CA 95804-0807

Dear Legal Division:

I am the treasurer for Supervisor Carole Migden, a county supervisor for the City and County of San Francisco.

I recently called your office with a question about transfers between controlled committees. I spoke with Ms. Linda Moreaux, and it was my understanding that if a local jurisdiction has a valid campaign contribution limit based on a campaign cycle, rather than on a fiscal year cycle, that transfers between controlled committees are still barred under Proposition 73.

Could you please confirm that my understanding is correct. San Francisco has a local campaign contribution limit of \$500 per election cycle. Is it then true that we cannot write a check from our campaign or officeholder account to another campaign or officeholder account?

Thank you for your attention to this matter.

Sincerely yours,

A handwritten signature in cursive script that reads "Paul Herman".

Paul Herman
Treasurer

Linda - transfers between candidates are prohibited, but transfers between her own committees aren't. You should probably call him and clarify. The local ordinance may prohibit her from transferring from her officeholder account to her campaign account, or she may have to attribute the transferred to specific contributions. CW

I can't tell from his letter which type of transfer this is about.

September 1991

Paul Herman
Treasurer for Carole Migden
Board of Supervisors
City & County of San Francisco
Room 235, City Hall
San Francisco, CA 94102

Re: Your Request for Advice
Our File No. A-91-384

Dear Mr. Herman:

During our recent telephone conversation, you asked if San Francisco Supervisor Carole Migden could transfer campaign funds from her candidate or officeholder campaign bank accounts to other candidates' accounts.

The enclosed advice letter written to Kirk Pessner on behalf of San Francisco Mayor Art Agnos summarizes the current status of Section 85304 of the Political Reform Act after the court ruling in Service Employees International Union, AFL-CIO, et al. v. Fair Political Practices Commission (1990) 747 F.Supp. 580. This advice letter, dated July 19, 1991, specifically addresses your questions regarding transferring funds.

If you have any further questions, please feel free to contact me at (916) 322-5662.

Sincerely,

Scott Hallabrin
Acting General Counsel

By: Linda Moureaux
Political Reform Consultant

Enclosures